

Notice Regarding Drug Take Back Programs

Frequently Asked Questions

1. When do prescribers and pharmacies need to start distributing the notice regarding drug take back programs?

January 1, 2016. As of January 1, 2016, prescribers and pharmacies must provide the notice about drug take back programs upon dispensing to each patient a controlled dangerous substance (CDS) prescription medication.

2. Under what circumstances must the notice be distributed to patients?

Prescribers must furnish the notice to each patient with any CDS prescription drug or medicine dispensed by the practitioner directly to the patient as permitted pursuant to N.J.S.A. 45:9-22.11.

Pharmacies must distribute the notice with any CDS prescription medication that is dispensed to an individual located in New Jersey.

3. As a prescriber, do I need to distribute the notice when I write a prescription for a CDS medication?

No. Prescribers must distribute the notice to each patient with any CDS prescription drug or medicine dispensed for that patient as permitted pursuant to N.J.S.A. 45:9-22.11. Prescribers do not need to distribute the notice when they write or issue a prescription for a CDS medication.

4. Are long-term care pharmacies exempt from the notice requirement?

Yes. The new law specifically exempts long-term care pharmacies from the requirement to distribute the notice. If, however, a long-term care pharmacy also fills prescriptions for (retail) patients who do not have their medications administered to them as a patient in a long-term care facility, the pharmacy must then distribute the notice to those particular patients.

5. Are emergency room physicians exempt from the notice requirement?

No. The law requires all prescribers to furnish the notice to each patient with any CDS prescription drug or medicine dispensed for that patient as permitted pursuant to N.J.S.A. 45:9-22.11. There is no exemption for emergency room physicians or prescribers who provide patients with “hold over” medications upon discharge. In the event that the

physician or prescriber dispenses a CDS medication, he or she would be required to provide the patient with the notice.

6. Must hospital pharmacies distribute the notice to in-patients who are administered CDS medications?

No. Because a hospital inpatient receives a single dose of the medication (and thus, they do not have any leftover medications requiring disposal), hospital pharmacies dispensing CDS medications to in-patients are not required to distribute the notice.

7. Must prescribers distribute the notice with samples of CDS medications dispensed to patients?

Yes. Prescribers must distribute the notice to each patient with any CDS prescription drug or medicine, including samples, dispensed for that patient as permitted pursuant to N.J.S.A. 45:9-22.11.

8. How may pharmacies and prescribers distribute the notice?

In order to comply with the requirements of P.L.2015, c.66, prescribers and pharmacies must do one of the following:

1. Download the Division notice from the Division's website and provide a hardcopy to the patient;
2. Download the Division notice from the Division's website and email an electronic copy to the patient; or
3. Post a copy of the Division notice in a conspicuous location and insert the following text in another document (for example, the prescription drug monograph, register receipts, or "bag stuffers") that is provided to the patient:

SAFE and SECURE MEDICINE DISPOSAL

Unused medications that remain in your medicine cabinet are susceptible to theft and misuse. To prevent medications from getting into the wrong hands, New Jersey's Office of the Attorney General and Division of Consumer Affairs urge you to properly dispose of your expired and unwanted prescription medicine at a nearby Project Medicine Drop location. **DROP OFF IS SIMPLE, ANONYMOUS AND AVAILABLE 24 HOURS A DAY – 365 DAYS A YEAR, NO QUESTIONS ASKED.** Simply bring in your prescription and over-the-counter medications and discard them in an environmentally safe manner. Always scratch out the identifying information on any medicine container you are discarding. For a list of Project Medicine Drop locations, please visit <http://www.njconsumeraffairs.gov/meddrop>.

9. Where can I get a copy of the notice?

A copy of the notice prepared by the Division is available for download on the Division's website at www.NJConsumerAffairs.gov/meddrop/Documents/Unused-Medications.pdf.

10. Is the notice available in Spanish?

Yes. The notice prepared by the Division is available in Spanish for download on the Division's website at <http://www.njconsumeraffairs.gov/meddrop/Documents/Unused-Medications-Spanish.pdf>.

11. Can the notice be provided in black and white?

Yes. The notice prepared by the Division which is available for download on the Division's website at www.NJConsumerAffairs.gov/meddrop/Documents/Unused-Medications.pdf may be provided in color or black and white.

12. Can patients dispose of liquid and injectable CDS medications in the State Project Medicine Drop boxes?

No. The Project Medicine Drop boxes cannot accept syringes and liquids. Resources for liquid and syringe disposal are available at:

- FDA - Disposal of Unused Medicines
<http://www.fda.gov/Drugs/ResourcesForYou/Consumers/BuyingUsingMedicineSafely/EnsuringSafeUseofMedicine/SafeDisposalofMedicines/ucm186187.htm>
- NJ Department of Health - Safe Syringe Disposal
<http://www.state.nj.us/health/phss/index.shtml>
<http://www.state.nj.us/health/phss/documents/syringe.pdf>
- EPA - Safe Needle Disposal
<http://www3.epa.gov/epawaste/nonhaz/industrial/medical/med-govt.pdf>